

AGENDA



Thursday, February 26, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 3**

Subject: Authorize the fee simple acquisition of Lot 12, Block 2, of Bergstrom Downs No. 1, locally known as 801 Patton Avenue, Austin, TX 78742 from Elizabeth J. Henckel for the Airport Noise Mitigation Program, in the amount of \$100,000.00 for the land and improvements and \$38,990.00 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$148,990.

Amount and Source of Funding: Funding in the amount of \$148,990 is available in Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.

Fiscal Note: A fiscal note is attached.

For More Information: Melinda Ruby 530-6634; Lauraine Rizer 974-7078; April Thedford 974-7141

Prior Council Action: June 6, 2007 – Council approved recommendations in the 2007 Draft FAR Part 150 Noise Study Update; February 28, 2008 - Consultant Selection for Noise Mitigation Program.

The property and residence located at 801 Patton Avenue, Austin, TX 78742 is a part of the approved Airport Noise Mitigation Program. The purpose of the program is to reduce noise impacts and ensure land use compatibility within the airport vicinity.

The lot to be acquired is approximately 0.192 acre tract and improvements include 1046 SF single family residence, 1 car attached garage, front covered concrete patio, rear covered concrete patio, concrete drive, sauna, 4' chain link fence with wire mesh, and typical landscaping. The fair market value of the property including improvements is \$100,000.00, as determined by Independent appraisal. The owner has agreed to accept the City's offer and is eligible for relocation expenses estimated to be \$38,990.00. The City will relocate any tenants according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

In accordance with Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended any owner may choose to retain any improvement at the salvage value of that improvement, and the salvage value will be deducted from the purchase price at closing. Elizabeth J. Henckel has elected to retain ownership of kitchen cabinets & AC unit currently located on the property being purchased for the salvage value of \$67.00, which will be netted out of the property settlement amount at closing.

Closing and moving costs are not to exceed \$10,000, and are a part of the final property settlement amount.